IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 13050 of 1998

Between:

Lemon Merchant Growers Association, Rep. by its President,
T.Gopal Reddy, S/o. Ramireddy, Regd. No.283/96,
Gudur, Nellore District.

..... PETITIONER

AND

1 The Municipal Commissioner, Gudur Municipality,
Gudur, Nellore District.
2 P.Srinivasa Reddy,
East Street, Gudur, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or Direction, particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent-1 in issuing the Impugned Notification vide No.3 dated 13.2.1998 for leasing out the right in so far as levying daily fees on the vehicles coming with load of Sand, Gravel, Metal, and Brick which are coming to the Municipal Area, Gudur, Nellore District not for the purpose of the sale is arbitrary, illegal and set aside the Sub-Items 4 to 10 and also the item in respect of other goods of Item No.17 of the Notification No.3 dated 13.2.1998 and consequently direct the respondents not to levy daily fees on the vehicles coming with Sand, Brick, Metal to levy daily fees on the vehicles coming with Sand, Bricks, Metal and Gravel to the Municipal Area, Gudur, Nellore District which are not for the purpose of sale.

Counsel for the Petitioner:MR.K.MURALIDHAR REDDY

Counsel for the Respondents: MR.E.SAMBASIVA PRATAP

The Court made the following:

ORDER:

Learned counsel for the petitioner submits that the cause in the writ petition does not survive for adjudication and the same has become infructuous.

Recording the submission of the learned counsel for petitioner, the writ petition is dismissed as infructuous. No costs.

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N.V.RAMANA, J

Dated March 16, 2005.

TVK

To

1 The Municipal Commissioner, Gudur Municipality,
Gudur, Nellore District.
2 2 CD copies

*Form-NIC-OGS/WP{**MN**}*